

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

New Atty. Docket: VAN DEVENTER-2

In the application of:

Sander J. H. VAN DEVENTER, *et al.*

Serial No.: 10/506,881

371(c) Filing Date: October 5, 2005

For: IL-10 GENE TRANSFER TO PERIPHERAL BLOOD
MONONUCLEAR CELLS

Examiner: Thaian N. TON

Group Art Unit: 1632

Confirmation No.: 6763

Customer No.: 1444

Washington D.C.
February 24, 2009

PETITION TO REVIVE PATENT APPLICATION UNDER 37 C.F.R. §1.137(b)

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Randolph Building, Mail Stop **PETITIONS**
401 Dulany Street
Alexandria, VA 22314

Sir:

Applicants, through their undersigned attorney, hereby petition for revival of the above-identified application in accordance with the terms of 37 C.F.R. §1.137(b). The above-identified application became abandoned for failure to respond to The Notice of Noncompliant Amendment of February 2, 2007.

Under 37 C.F.R. §1.137(b), a petition to revive an unintentionally abandoned application must be accompanied by (1) a statement that the delay was unintentional, (2) a proposed response unless it has been previously filed, and (3) a fee in the amount of **\$1,620.00** in accordance with 37 C.F.R. §1.17(m).

- (1) Applicant, through undersigned counsel, hereby states that the entire delay in filing the required reply from the due date of the reply until the filing of a grantable petition pursuant to 37 C.F.R. §1.137(b) was unintentional.
- (2) Filed herewith is a proposed response to continue prosecution of the present application.
- (3) The petition fee of **\$1,620.00** as set forth in 37 C.F.R. §1.17(m), is attached hereto *(as an electronic credit card payment)*.

Granting of this petition and forwarding of the application to the examiner for further action is earnestly solicited.

Respectfully submitted,
BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

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